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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|------------------------|---------------------|------------------|
| 09/852,453  | 05/09/2001  | Christoffer S. Weinold | 035P0001            | 5145             |
| 7590  | 12/28/2004  |                        |                     | EXAMINER         |
| Rodney F. Brown<br>3365 Baltimore Street<br>San Diego, CA 92117 |             |                        | FLEMING, FRITZ M    |                  |
|   |             |                        | ART UNIT            | PAPER NUMBER     |
|   |             |                        | 2182                |                  |

DATE MAILED: 12/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
|---------------------------------|-------------|---|---------------------|

EXAMINER

ART UNIT      PAPER

12202004

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Commissioner for Patents

See attached notice that none of the exhibits can be found.

Fritz M Fleming  
Primary Examiner  
Art Unit: 2182

***Response to Amendment***

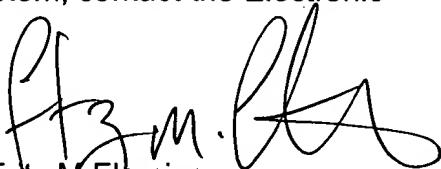
1. The reply filed on 9/13/2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has relied upon numerous exhibits in support of an earlier conception date. However, the IFW file does have any of these exhibits, and a contractor search of the materials submitted and located at the scanning facility did not turn up any of the exhibits. Thus, prosecution cannot really be advanced without these exhibits, and applicant is respectfully requested to submit or re-submit the exhibits so the response can be given full consideration. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

**EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz M Fleming whose telephone number is 571-272-4145. The examiner can normally be reached on M-F, 0600-1500.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Fritz M. Fleming  
Primary Examiner  
Art Unit 2182

fmf